#### **DIVISION OF HUM AN RESOURCES**

## 4.16 Emergency Closings

The Virginia Department of Social Services (VDSS) uses the Commonwealth's Department of Human Resource Management (DHRM) Policy 1.35 as the foundation for establishing guidance relative to emergency closings. Employees should refer to DHRM's website and this VDSS guidance for information regarding authorized closings.

#### The following link connects to DHRM Policy 1.35, Emergency Closings:

1.35 Emergency Closings

# VDSS Guidance

# **AUTHORITY, INTERPRETATION, ANDREVISION:**

This guidance is issued by the VDSS. The VDSS Director of Human Resources (HR) or designee is responsible for the interpretation of this guidance and for its revision or rescission.

#### I. PURPOSE

To ensure that all employees are properly notified and compensated when the agency is closed due to weather, emergencies, and other related circumstances.

#### II. APPLICATION

This guidance applies to all VDSS employees and contractors regarding notifications of closing. Compensation provisions apply to DSS employees only.

## III. DEFINITIONS

- A. Designated Employees Employees who are required to work during an authorized closing. This designation is reflected on the employee's Employee Work Profile (EWP). Usually, designated employees work their normal schedules during authorized closings.
- B. Designated Positions Positions that have functions which must be continued during authorized closings.
- C. Non-designated Employees Employees who are not required to work during an authorized closing.

### IV. DETERMINATION OF AUTHORIZED CLOSINGS

The Governor or his/her designee makes the determination to close Richmond area offices of administrative agencies during daytime hours as appropriate. The Commissioner or designee makes this determination for VDSS offices outside of the Richmond area and for Richmond offices during non-daytime hours.

### V. NOTIFICATION AND TYPES OF CLOSINGS

Closing announcements usually are transmitted by Commonwealth DHRM to the VDSS Commissioner and the Director of Human Resources. Upon receipt, HR staff post closings to the VDSS Public Website.

A. Full Closings are when VDSS is closed for the complete daytime schedule or for all of the agency's public service hours. This usually impacts the work schedules of Non-designated employees for the full 24 hours in which the full closing occurs.

The closing announcement usually specifies that state agencies are closed and the date. No hours are included. The VDSS posting is similar. For example, "Due to impending inclement weather, the VA Department of Social Services-Home Office will be closed Monday, March 3, 2014."

- B. Partial Closings are when VDSS opens late or closes early. The VDSS posting announcement will state either a specific time that the agency will open/close or a timeframe.
  - 1. <u>Specific Time Example</u>: "The VA Department of Social Services Home Office will open at 10AM on February 27, 2015."
  - 2. <u>Timeframe Example</u>: "The VA Department of Social Services Home Office will open with a 2-hour delay on February 27, 2015."

Closing types impact employee work schedules. For examples of how to apply partial closings to schedules, refer to Appendix A.

### VI. DESIGNATED POSITIONS

Division Directors must identify those positions in their respective divisions with duties that must be maintained or continued during authorized closings. Such positions must be coded as "designated" by the Division on the Position Description. This will ensure inclusion of the designation on the Employee Work Profile (EWP).

The Division of Human Resources will code the position as "designated" in the Commonwealth's Personnel Management Information System (PMIS).

Employees who occupy Designated Positions must be notified of the designation in writing as follows: upon hire, when the position becomes designated, and/or during the annual performance planning and evaluation cycle. Once notified, employees in Designated Positions become Designated Employees and are required to work during authorized closings.

Unless otherwise instructed by the supervisor, the Designated Employee must work his/her regular work schedule during an authorized closing.

All employees who telework are required to telework during authorized closings related to inclement weather if the closing occurs on a normal telework day. Designated Employees who telework must work their normal schedule each day throughout the authorized closing.

Supervisors must ensure the correct completion of Telework Agreements for Designated Employees who telework. If clarification is needed, supervisors should contact HR/Compliance.

## VII. COMPENSATION

- A. Non-designated Employees
  - Non-designated employees will be paid for the hours that they were scheduled to work during an authorized closing, if they worked or took paid leave the day before and the day after the authorized closing.
  - 2. Non-designated employees who are scheduled for pre-approved leave with pay when there is an authorized closing will have the time charged to the authorized closing and not to personal leave balances.
- B. Designated Employees
  - Designated employees will be paid their regular rate of pay for hours worked based on compensation policies and guidance.

- 2. Designated employees will be granted compensatory time for hours worked during an authorized office closing. This is in addition to regular pay.
- Designated Employees who are required to work extra hours (beyond their regularly scheduled hours) will be compensated in accordance with FLSA for the additional hours worked. Supervisors have discretion on how to compensate employees for extra hours worked in accordance with VDSS Guidance 4.10 – Hours of Work.
- 4. Designated Employees who are on pre-approved leave with pay during an authorized closing will have the time charged to the authorized closing and not to personal leave. Supervisors may cancel pre-approved leave scheduled for Designated Employees as needed for business continuity.
- Designated Employees who fail to report to work could be subject to disciplinary action and/or the hours missed could be charged to leave with or without pay, as appropriate.

# C. Telework

- 1. Non-designated Employees who are scheduled to telework when there is an authorized closing are expected to work during the closing. Non-designated Employees will be compensated in the agency's normally prescribed manner.
- 2. Non-designated Employees who are unable to telework, for personal reasons not associated with the agency closure, must request leave to cover all hours not worked. If the leave is denied or leave is not available, pay may be docked.

Any scheduled hours not worked while the agency is open will be charged to personal leave or leave without pay.

### VIII. EDUCATION OR NOTIFICATION

At least twice a year, HR will provide communication to VDSS employees on how to stay informed about emergency closings and delayed openings.

If employees have questions on whether or not to report to work, they should contact their supervisor as appropriate.

## IX. REFERENCES

**Hours of Work and Operations** 

Fair Labor Standards Act

Most Recent VDSS Emergency Closing Notice to Employee

#### X. APPENDICES

**Appendix A -** Examples of Closings and Employee Work Schedules

## Appendix A – Examples of Partial Closings and Employee Work Schedules

# Example 1: "Two hour delay"

VDSS Public Service Hours are 8:15 a.m. – 5:00 p.m. *Employee's work schedule is 7:30 a.m.* – 4:30 p.m. Employee will work 9:30 a.m. – 4:30 p.m.

# Example 2: "Office will open at 10:00 a.m."

VDSS Public Service Hours are 8:15 a.m. – 5:00 p.m. Employee's work schedule is 7:30 a.m. – 4:30 p.m. Employee will work 10:00 a.m. - 4:30 p.m.

# Example 3: "Office will close two hours early"

VDSS Public Service Hours are 8:15 a.m. – 5:00 p.m. Employee's work schedule is 7:30 a.m. – 4:30 p.m. Employee will work 7:30 a.m. - 2:30 p.m.

# Example 4: "Office will close at 3:00 p.m."

VDSS Public Service Hours are 8:15 a.m. – 5:00 p.m. Employee's work schedule is 7:30 a.m. – 4:30 p.m. Employee will work 7:30 a.m. - 3:00 p.m.